Authorization of appropriations   1821k   Designation of nave of military reservations   1821k   Designation of nave of military reservations   1821k   Designation of nave of military reservations   1821k   Designation of appropriations   1821k   Designation of appropriations   1821k   Designation of appropriations   1821k   Designation of appropriations   1821k   Designation   Designation of appropriations   1821k   Designation of appropriations   1821k   Designation of appropriations   1821k   Designation of appropriations   1821k   Designation of appropriations   1822k   Designation of appropri	~		~		
1421b.   Designation of naval of military reservations; coloral ports.   1421b.   Designation of naval of military reservations; coloral ports.   1421b.   Potential port of the control of the coloral protection, and reforestation.   1421b.   Potential port of the control of the coloral protection, and reforestation.   1421b.   Potential port of the control of the Northern Mariana Islands.   1424b.   The Substitution of Linday.   1424b.   1425b.	Sec. 1421j.	Authorization of appropriations.	Sec. 1423 <i>l</i> .	Omitted.	
1421n. Applicability of Federal copyright laws. 1421o. Projection, and reforestation. 1421o. Applicability of Federal laws. 1421o. Applicability of Federal laws. 1421o. Applicability of Federal laws. 1421o. SUBCHAPTER II—THE EXECUTIVE BRANCH 1422. Governor and Lieutenant Governor, cornember of legislature: referendum election. 1422b. Vacancy in office of Governor or time of corner of the control of covernor. 1422c. Removal of Governor or Lieutenant Governor. 1422c. Removal of Governor or Lieutenant Governor. 1422b. Vacancy in office of Governor or time of covernor. 1422c. Removal of Governor or Lieutenant Governor. 1422d. Application of Governor or Lieutenant Governor. 1422e. Removal of Governor or Lieutenant G		Designation of naval or military reservations;			
1421a.   Applicability of Federal copyright laws.	1421k_1 t		1424.	District Court of Guam; local courts; jurisdic-	
Applicability of Federal laws.   1421-1.   1	1421n.	Applicability of Federal copyright laws.			
42214, Authorization of appropriations.   42214, Applicability of leave referred to in section   42214, Applicability of leave referred to in section   42215, Applicability of leave referred to in section   4222, Applicability of leave referred to insection   4222, Applicability of leave referred to insection   4223, Applicability of leave referred to insection   4224, Applicability of leave referred referred to insection   4224, Applicability of leave referred referre	1421o.				
1421q-1   Applicability of Federal laws   1421q-1   1422q-1   14	1421p.		1404 1		
SUBCHAPTER II—THE EXECUTIVE BRANCH  1422. Governor and Lieutenant Governor, cor member of legislature; referendum electrons of the corner of t	1421q.	Applicability of Federal laws.	1424–1.		
monwealth of the Northern Mariana Islands.  VIBCHAPTER II—THE KNECUTIVE BRANCH  1422. Geornor and Lieutenant Governor: term of office; qualifications; powers and duties; annual report to Congress.  1422a. Removal of Governor, Lieutenant Governor, or member of legislature; refrendum election.  1422b. Vaccing office of Governor or Lieutenant Governor.  (a) Temporary disability or temporary absence of Covernor.  (b) Permanent vacancy in office of Governor.  (c) Temporary disability or temporary absence of Lieutenant Governor.  (c) Temporary disability or temporary absence of Lieutenant Governor.  (d) Temporary disability or temporary absence of Lieutenant Governor.  (e) Temporary disability or temporary absence of both Governor and Lieutenant Governor.  (f) Additional compensation.  1422e. Executive agencies and instrumentalities.  (a) Appointment of leads, establishment of the continual formation of the continual formation of the continual formation in office of incumbents.  1422a. Temporary disability or temporary absence of both Governor and Lieutenant Governor.  (f) Additional compensation.  1422b. Secutive agencies and instrumentalities.  (a) Appointment of leads, establishment of the continual formation in office of incumbents.  (a) Continuation in office of incumbents.  (b) Powers and duties of officers.  (c) Reorganization.  (d) Continuation in office of incumbents.  (e) Premanent office of incumbents.  (e) Temporary disability or temporary absence of both Governor and Lieutenant Governor.  (f) Additional compensation.  (g) Appellate quisition of District Court; appeals for Ninth Circuit; quisition of District Court; appe	1421q-1.			fications and duties of judges.	
SUBCHAPTER II—THE EXECUTIVE BRANCH   1422a. Governor and Lieutenant Governor; term of office; qualifications; powers and duties; annual report to Congress.   1422a.   1422a.   1422a.   1422b.   1422b					
1422.   Governor and Lieutenant Governor: term of office; qualifications; powers and duties an unal report to Congress.     1422.   Hornward of Governor. Lieutenant Governor.     1422.   Vacancy in office of Governor or Lieutenant Governor.     1422.   Vacancy in office of Governor.     1423.   Vacancy in office of Governor.     1424.   Vacancy in office of Governor.     1425.   Permanent vacancy in office of Governor.     1426.   Permanent vacancy in office of Governor.     1427.   Permanent vacancy in office of Ideorem vacancy i				(b) Jurisdiction.	
offere, qualifications; powers and duties; and content of George, qualifications; powers and duties and courts of Gam.  1422a. Removal of Governor, Lieutenant Governor, comember of legislature; referendum election.  1422b. Vacancy in office of Governor absence of Governor.  (a) Temporary disability or temporary absence of Lieutenant Governor.  (b) Pormanent vacancy in office of Governor absence of Lieutenant Governor.  (c) Temporary disability or temporary absence of Lieutenant Governor.  (d) Permanent vacancy in office of Lieutenant Governor.  (e) Temporary disability or temporary absence of Lieutenant Governor.  (d) Permanent vacancy in office of Lieutenant Governor.  (e) Temporary disability or temporary absence of both Governor and Lieutenant Governor.  (f) Additional compensation.  (g) Temporary disability or temporary absence of both Governor and Lieutenant Governor.  (h) Permanent vacancy in office of Lieutenant Governor.  (i) Permanent vacancy in office of Lieutenant Governor.  (ii) Permanent vacancy in office of Lieutenant Governor.  (iii) Permanent vacancy in office of Lieutenant Governor.  (iii) Appellate court.  (iii) Appeals for Ninth Circuit; rules; appeals to appellate court.  (iii) Appellate division of District Court; quorum; presiding judge: designations of place of both Governor and Lieutenant Governor.  (iii) Appeals to appellate court.  (iv) Appeals of ninth Circuit; rules; appeals to appellate court.  (iv) Appeals of ninth Circuit; rules; appeals to appellate court.  (iv) Appeals of ninth Circuit; rules; appeals to appellate court.  (iv) Appeals of appellate court.  (iv) Appeals of ninth Circuit; rules; appeals to appellate court.  (iv) Appeals of appel					
nual report to Congress.  1422a. Removal of Governor, Lieutenant Governor, or member of legislature; referendum election.  142b. Vacancy in office of Governor or Lieutenant Governor.  (a) Temporary disability or temporary absence of Governor.  (b) Fermanent vacancy in office of Governor, absence of Lieutenant Governor.  (c) Temporary disability or temporary absence of Lieutenant Governor.  (d) Permanent vacancy in office of Lieutenant Governor.  (e) Temporary disability or temporary absence of both Governor and Lieutenant Governor.  (f) Additional compensation.  (g) Appointment of heasis, establishment or mistorn.  (g) Propose and duties of officers.  (g) Appointment of heasis, establishment or mistorn.  (d) Continuation in office of incumbents.  (d) Continuation in office of incumbents.  (d) Continuation in office of incumbents.  (d) Scope of authority transferred.  (d) Scope of authority transferred.  (d) Scope of authority transferred.  (e) Transfer of presonnel, assets, e., of Continuation in office of incumbents.  (f) Hardison, powers, and duties transferred.  (g) Transfer of personnel, assets, e., of Continuation in office of incumbents.  (g) Appellate jurisdiction of District Court:  (h) Appellate jurisdiction of Appeals to appellate court:  (a) Appeals to appellate ourt.  (b) Cunt.  (c) United States Court of Appeals of Ninth Circuit; rules; appeals to appellate ourt.  (d) Appeals to appellate ourt.  (e) United States Court of Appeals for Ninth Circuit; rules; appeals to appellate unity district Court.  (e) United States Court of Appeals for Ninth Circuit; rules; appeals to appellate ourt.  (e) United States Court of Appeals of Papeals of State Court of Appeals of State Court of Appeals of State Court of Appeals of State Court of Court.  (e) United States Court of Court.  (e) United States Court of Court.  (e) United S	1422.		1424–2.	Relations between courts of United States	
or member of legislature; referendum electors or member of legislature; referendum electors of members of legislature; referendum electors of members of legislature; referendum electors of covernor.  (a) Temporary disability or temporary absence of Ideutenant Governor.  (b) Permanent vacancy in office of Governor.  (c) Temporary disability or temporary absence of Lieutenant Governor.  (d) Permanent vacancy in office of Lieutenant Governor.  (d) Permanent vacancy in office of Lieutenant Governor.  (d) Permanent vacancy in office of Lieutenant Governor.  (e) Temporary disability or temporary absence of Lieutenant Governor.  (f) Permanent vacancy in office of Lieutenant Governor.  (g) Permanent vacancy in office of Lieutenant Governor.  (h) Powers and duties of officers.  (a) Appointment of heads; establishment of ment system; civil Service Commission.  (b) Powers and duties of officers.  (c) Reorganization.  (d) Continuation in office of incumbents, ferred.  (e) Scope of authority transferred.  (e) Scope of authority transferred.  (f) Scope of authority transferred.  (g) Transfer of personnel, assets, etc., of office of government comptroller for Guam to Office of Inspector General, Department of the Interior.  SUBCHAPTER II—THE LEGISLATURE  1423a.  Legislature of Quam.  (a) Unicameral nature; power.  (b) Size of legislature; problittion against denial of equal protection; at large and district representation.  (c) Reapportoinment; Federal census.  (d) Transfer problems of members.  1425a.  Prover of legislature; limitation on indebtedness of Guam; bond issues; guarantees for purchase by Federal Francing Bank of Guam Power Authority bonds or other obligations; interest rates; default.  1426a.  1427a.  1427b.  1428a.  1428a.  1429a.  1429a					
tion.  Vacancy in office of Governor or Lieutenant Governor.  (a) Temporary disability or temporary absence of Governor.  (b) Permanent vacancy in office of Governor.  (c) Temporary disability or temporary absence of Lieutenant Governor.  (d) Pethodal Governor of Lieutenant Governor.  (e) Temporary disability or temporary absence of both Governor and Lieutenant Governor.  (d) Additional compensation.  1422c.  Executive agencies and instrumentalities.  (a) Appollate missellation of District Court; quorum; presiding index; designation of ment system; (ivil Service Commission.  (b) Powers and duties of officers.  (c) Reorganization.  (d) Continuation in office of incumbents.  (a) Executive agencies and instrumentalities.  (a) Appollate division of District Court; quorum; presiding index; designation of ment system; (ivil Service Commission.  (e) Promotary disability or temporary absence of both Governor and Lieutenant Governor.  (b) Additional compensation.  (c) Additional compensation.  (d) Appeals to appellate court; of Appeals for Ninth Circuit; rules; appeals to appellate court.  (d) Appeals to appellate court.  (e) Temporary disability or temporary absence of both Governor and Lieutenant Governor.  (e) Additional compensation.  (f) Additional compensation.  (g) Appeals to presiding index; designation of index; designation of index; designation of pluses; decignation of District Court; appointment of members proved understance of the Interior.  (d) Appeals to appellate court.  (d) Appeals to appellate court; effect on District Court; appointment of members proved understance of the Interior.  (d) Appeals to appellate court; effect on District Court; appointment of members proved understance of Interior Count.  (d) Employment of heads.  (e) Private of the Interior.  (f) Appeals to appellate court; effect on District Court; appointment of the Interior.  (e) Transfer of presonnel, assets, etc., of office of governme	1422a.				
Vacancy in office of Governor or Lieutenant Covernor.  (a) Temporary disability or temporary absence of Governor.  (b) Permanent vacancy in office of Governor.  (c) Temporary disability or temporary absence of Lieutenant Governor.  (d) Permanent vacancy in office of Lieutenant Governor.  (d) Permanent vacancy in office of Lieutenant Governor.  (e) Temporary disability or temporary absence of both Governor and Lieutenant Governor.  (e) Temporary disability or temporary absence of both Governor and Lieutenant Governor.  (f) Additional col Instruction of District Court; quorum; presiding judge; designation of Judges; designation of Judges			1424–3.		
(a) Temporary disability or temporary absence of Governor. (b) Permanent vacancy in office of Governor. (c) Temporary disability or temporary absence of Lieutenant Governor. (d) Permanent vacancy in office of Lieutenant Governor. (e) Temporary disability or temporary absence of both Governor and Lieutenant Governor. (e) Temporary disability or temporary absence of both Governor and Lieutenant Governor. (f) Additional compensation. (g) Additional compensation. (h) Powers and duties of officers. (e) Recorganization. (d) Continuation in office of incumbents. (e) Reorganization. (d) Continuation in office of incumbents. (e) Reorganization. (f) Continuation in office of incumbents. (e) Reorganization. (f) Continuation in office of incumbents. (g) Ferror of Quam to Inspector General, Department of the Interior. (g) France of government comptrolle for Guam to Office of Inspector General, Department of the Interior. (g) France of government comptrolle for Guam to Office of Inspector General, Department of the Interior. (g) France of government comptrolle for Guam to Office of Inspector General, Department of the Interior. (g) France of government comptrolle for Guam to Office of Inspector General, Department of the Interior. (g) France of government comptrolle for Guam to Office of Inspector General, Department of the Interior. (g) France of Guam to Office of Inspector General, Department of the Interior. (g) France of Guam to Office of Inspector General, Department of the Interior. (g) France of Guam to Office of Inspector General, Department of the Interior. (g) France of Guam to Office of Inspector General, Department of the Interior. (g) France of Guam to Office of Inspector General, Department of the Interior. (g) France of Guam to Office of Inspector General, Department of the Interior. (g) France of Guam to Office of Inspector General, Department of the Interior. (g) France of Guam to Office of Inspector General, Department of the Interior. (g) France of Guam to Office of Inspector General, Department of the Int	1422b.	· ·			
Absence of Governor.  (b) Permanent vacancy in office of Governor.  (c) Temporary disability or temporary absence of Lieutenant Governor.  (d) Permanent vacancy in office of Lieutenant Governor.  (e) Temporary disability or temporary absence of both Governor and Lieutenant Governor.  (f) Pomerary disability or temporary absence of both Governor and Lieutenant Governor.  (g) Temporary disability or temporary absence of both Governor and Lieutenant Governor.  (g) Tadditional compensation.  Executive agencies and instrumentalities.  (a) Appointment of heads; establishment of merit system; Civil Service Commission.  (b) Powers and duties of officers.  (c) Reorganization.  (d) Appeals to appellate court; effect on District Court.  (d) Appeals to appellate court; effect on District Court.  (d) Appeals to appellate court; effect on District Court.  (d) Appeals to appellate court; effect on District Court.  (d) Appeals to appellate court; effect on District Court.  (d) Appeals to appellate court; effect on District Court.  (d) Appeals to appellate court; effect on District Court.  (d) Appeals to appellate court; effect on District Court.  (d) Appeals to appellate court; effect on District Court.  (d) Appeals to appellate court; effect on District Court.  (d) Appeals to appellate court; effect on District Court.  (d) Appeals to appellate court; effect on District Court.  (d) Appeals to appellate court; effect on District Court.  (d) Appeals to appellate court; effect on District Court.  (d) Appeals to appellate court; effect on District Court.  (d) Appeals to appellate court; effect on District Court.  (d) Appeals to appellate durity appeals; rules.  (e) Authorization of Effects durity appeals; rules.  (e) Authorization of District Court.  (d) Appeals to appellate durity appeals to appeals; rules.  (e) Authorization of District Court.  (e) Authorization of District Court.  (e					
remor.  (b) Temporary disability or temporary absence of Lieutenant Governor.  (c) Permanent vacancy in office of Lieutenant Governor.  (d) Permanent vacancy in office of Lieutenant Governor.  (e) Temporary disability or temporary absence of both Governor and Lieutenant Governor.  (f) Additional compensation.  (g) Additional compensation.  (h) Powers and duties of officers.  (h) Powers and duties of officers.  (h) Powers and duties of officers.  (h) Scope of authority transferred.  (h) Timing of beauthority transferred.  (h) Timing of beauthority transferred.					
tion of judges; decisions.  (d) Permanent vacancy in office of Lieutenant Governor.  (e) Temporary disability or temporary absence of both Governor and Lieutenant Governor.  (f) Additional compensation.  1422c.  Executive agencies and instrumentalities.  (a) Appointment of heads; establishment of merit system; Civil Service Commission.  (b) Powers and duties of officers. (c) Reorganization.  (d) Continuation in office of incumbents.  1422d.  1422d.  1422d.  1422d.  1428d.					
absence of Lieutenant Governor. (d) Permanent vacancy in office of Lieutenant Governor and Lieutenant Governor and Lieutenant Governor and Lieutenant Governor and Lieutenant Governor.  1422c.					
tenant Governor.  (e) Temporary disability or temporary absence of both Governor and Lieutenant Governor.  (f) Additional compensation.  Executive agencies and instrumentalities.  (a) Appointment of heads; establishment of merit system; Civil Service Commission.  (b) Powers and duties of officers.  (c) Reorganization.  (d) Continuation in office of incumbents.  Transfer of functions from government comptroller for Guam to Inspector General, Department of the Interior.  (a) Functions, powers, and duties transfered.  (b) Scope of authority transferred.  (c) Transfer of personnel, assets, etc., of office of government comptroller for Guam to Office of Inspector General, Department of the Interior.  SUBCHAPTER III—THE LEGILATURE  1423.  Legislature of Guam.  (a) Unicameral nature; power.  (b) Size of legislature; prohibition against denial of equal protection, at large and district representation.  (c) Reapportionment; Federal census base.  (d) Timing of biennial elections.  Power of legislature; Imitation on indebtedness of Guam; bond issues; guarantees for Guam power Authority bonds or other obligations; interest rates; default.  1423b.  1423c.  Privileges of members.  Gaum power Authority bonds or other obligations; interest rates; default.  1423c.  Privileges of members.  Gauh of office.  Prohibition against acceptance of salary increases or newly created offices.  (c) Gargangoria manuration of members; officers; relea and regulations; quorum.  1423c.  1423d.  1				(c) United States Court of Appeals for	
(e) Temporary disability or temporary absence of both Governor and Lieutenant Governor.  (f) Additional compensation.  Executive agencies and instrumentalities.  (a) Appointment of heads; establishment of merit system; Civil Service Commission.  (b) Powers and duties of officers. (c) Reorganization. (d) Continuation in office of incumbents. Farred. (e) Transfer of government comptroller for Guam to Inspector General, Department of the Interior. (e) Functions, powers, and duties transferred. (f) Scope of authority transferred. (g) Functions, powers, and duties transferred. (h) Scope of authority transferred. (g) Transfer of personnel, assets, etc., of office of government comptroller for Guam to Office of Inspector General, Department of the Interior. (g) Functions, powers, and duties transferred. (g) Transfer of personnel, assets, etc., of office of government comptroller for Guam to Office of Inspector General, Department of the Interior. (g) Functions, powers, and duties transferred. (g) Transfer of personnel, assets, etc., of office of government comptroller for Guam to Office of Inspector General, Department of the Interior. (g) Functions, powers, and duties transferred. (g) Transfer of personnel, assets, etc., of office of government comptroller for Guam to Office of Inspector General, Department of the Interior. (g) Functions, powers, and duties transferred. (g) Transfer of personnel, assets, etc., of office of government comptroller for Guam to Office of Inspector General, Department of the Interior.  (g) Functions, powers, and duties transferred. (h) Scope of authority transferred. (h) Scope of authority transferred. (h) Suze of Legislature (h) Coulting of Coulting Proceedings. (h) Functions from the propriations.  (h) Suze of Legislature (h) Coulting of Coulting Proceedings. (h) Functions from the propriations. (h) Authorization of Judged of District Court, appointment					
tenant Governor.  (f) Additional compensation.  Executive agencies and instrumentalities.  (a) Appointment of heads; establishment of merit system; Civil Service Commission.  (b) Powers and duties of officers. (c) Reorganization. (d) Continuation in office of incumbents.  1422d.  1423d.  1423d.  1423d.  1423d.  1423d.  1423d.  1423d.  1423d				(d) Appeals to appellate court; effect on	
(f) Additional compensation.  Executive agencies and instrumentalities.  (a) Appointment of heads; establishment of merit system; Civil Service Commission.  (b) Powers and duties of officers. (c) Reorganization.  (c) Powers and duties of officers. (d) Continuation in office of incumbents.  Transfer of functions from government comptroller for Guam to Inspector General, Department of the Interior.  (a) Functions, powers, and duties transferred. (b) Scope of authority transferred. (c) Transfer of personnel, assets, etc., of office of government comptroller for Guam to Office of Inspector General, Department of the Interior.  SUBCHAPTER III—THE LEGISLATURE  1423.  Legislature of Guam. (a) Unicameral nature; power. (b) Size of legislature; prohibition against denial of equal protection; at large and district representation. (c) Reapportionment; Federal census base. (d) Timing of biennial elections.  1423a.  Power of legislature: Imitation on indebtedness of Guam; bond issues; guarantees for Guam Power Authority bonds or other obligations; interest rates; default.  1423b.  Selection and qualification of members; offices: rules and regulations; quorum.  1423c.  1423c.  1423d.  Privileges of members.  Qualifications of members.  Qualifications of members.  Qualification of appropriations.  1423e.  Prohibition against acceptance of salary increases or newly created offices.  Qualifications of members.  Qualifications of members.  1425e.  1426.  Subchapte (a) Jurisdiotion (b) Acquisitions effected through condemnation proceedings.  (d) Employment of special masters or judges of Navadis.  (d) Employment of special masters or judges of Navadis.  (d) Limitation on attorneys fees; violation; plantity of documents, records, and writings to court.  SUBCHAPTER V—PUBLIC HOUSING AND URBAN RENEWAL  1425b.  Legislative authority to create authorities; appointment of members; office.  RENEWAL  1425c.  Repealed.  (a) Jurisdiotion.  (b) Acquisitions effected through condemnation proceedings.  (b) Awards.  (c) Fair Compensation.  (d)			1424-4.		
(a) Appointment of heads; establishment of merit system; Civil Service Commission.  (b) Powers and duties of officers. (c) Reorganization. (d) Continuation in office of incumbents.  Transfer of functions from government comptroller for Guam to Inspector General, Department of the Interior. (a) Functions, powers, and duties transferred. (c) Transfer of personnel, assets, etc., of office of government comptroller for Guam to Office of Inspector General, Department of the Interior.  SUBCHAPTER III—THE LEGISLATURE  1423. Legislature of Guam. (a) Unicameral nature; power. (b) Size of legislature; prohibition against denial of equal protection; at large and district representation. (c) Reapportionment; Federal census base. (d) Timing of biennial elections.  1423a. Power of legislature; limitation on indebtedness of Guam; bond issues; guarantees for gurchase by Federal Financing Bank of Guam Power Authority bonds or other obligations; interest rates; default.  1423b. Selection and qualification of members; officers; rules and regulations; quorum.  1423c. Privileges of members.  1423d. Authorization in annual report by Governor; or creases or newly created offices.  1423e. Qualifications of members.  1423e. Prohibition against acceptance of salary in creases or newly created offices.  1423e. Qualifications of members.  1423e. Prohibition against acceptance of salary in creases or newly created offices.  1423e. Qualifications of members.  1423e. Authorization in annual report by Governor; agencies, administering loan funds.  1423e. Prohibition against acceptance of salary in creases or newly created offices.  1423e. Qualifications of members.  1423e. Authorization in annual report by Governor; agencies, administering loan funds.  1423e. Prohibition against acceptance of salary in creases or newly created offices.  1423e. Authorization in annual report by Governor.  1423e. Privileges of members.  1423e. Authorization in annual report by Governor.  1423e. Authorization in annual report by Governor.  1423e. Authorization i		(f) Additional compensation.	1424a.	Repealed.	
of merit system; Civil Service Commission.  (b) Powers and duties of officers. (c) Reorganization. (d) Continuation in office of incumbents.  1422d.  1422d.  Transfer of functions from government comptroller for Guam to Inspector General, Department of the Interior. (a) Functions, powers, and duties transferred. (b) Scope of authority transferred. (c) Transfer of government comptroller for Guam to Office of Inspector General, Department of Office of Inspector General, Department of Office of Inspector General, Department of the Interior.  SUBCHAPTER III—THE LEGISLATURE  1423. Legislature of Guam. (a) Unicameral nature; power. (b) Size of legislature; prohibition against denial of equal protection; at large and district representation. (c) Reapportionment; Federal census base. (d) Timing of biennial elections.  1423a. Power of legislature; limitation on indebtedness of Guam; bond issues; guarantees for purchase by Federal Financing Bank of Guam Power Authority bonds or other obligations; interest rates, default.  1423b. Selection and qualification of members; officers; rules and regulations; quorum.  1423c. Privileges of members.  1423d. Qualifications of members.  1423d. Review of clastates attorney and marshal.  Review of Cauch in Sected through condemation proceedings. (c) Fair compensation. (d) Employment of special masters or Judges. (e) Availability of documents, records, availability of documents, records	1422c.		14246.		
1423d.   Continuation   Continuati				United States attorney and marshal.	
(c) Reorganization. (d) Continuation in office of incumbents.  Transfer of functions from government comptroller for Guam to Inspector General, Department of the Interior.  (a) Functions, powers, and duties transferred. (b) Scope of authority transferred. (c) Transfer of personnel, assets, etc., of office of government comptroller for Guam to Office of Inspector General, Department of the Interior.  SUBCHAPTER III—THE LEGISLATURE  1423. Legislature of Guam.  (a) Unicameral nature; power. (b) Size of legislature; prohibition against denial of equal protection; at large and district representation. (c) Reapportionment; Federal census base. (d) Timing of biennial elections.  1423a. Power of legislature; limitation on indebtedness of Guam; bond issues; guarantees for purchase by Federal Financing Bank of Guam Power Authority bonds or other obligations; interest rates; default.  1423b. Selection and qualification of members; officers; rules and regulations; quorum.  1423c. Privileges of members.  1423d. Qualifications of members.  1423d. Qualifications of members.  (c) Fair compensation. (d) Employent of special masters or judges. (E) Awards. (Initiation on attorney's fees; violation; penalty. (g) Availability of documents, records, and writings to court.  SUBCHAPTER V—PUBLIC HOUSING AND URBAN RENNEWAL  1425a. Legislative authority to create authorities; appointment of members; powers of authorities.  1425a. Issuance of notes, bonds, and obligations.  1426b. Additional powers.  1427d. Additional powers.  1428c. Additional powers.  1428d. Selection and qualification of members officers; rules and regulations; quorum.  1428c. Arcounting procedures.  1428d. Authorization of appropriations.  1428d. Prohibition against acceptance of salary increases or newly created offices.  1428d. Qualifications of members.  1428d. Qualifications of members.  1428d. Regular and special sessions.  1429d. Authorization of books and records of agency, or agencies, administering loan funds.  1429d. Authorization for the peoples of the Virg			1424c.		
(d) Continuation in office of incumbents.  Transfer of functions from government comptroller for Guam to Inspector General, Department of the Interior.  (a) Functions, powers, and duties transferred.  (b) Scope of authority transferred.  (c) Transfer of personnel, assets, etc., of office of government comptroller for Guam to Office of Inspector General, Department of the Interior.  SUBCHAPTER III—THE LEGISLATURE  1423. Legislature of Guam.  (a) Unicameral nature; power.  (b) Size of legislature; prohibition against denial of equal protection; at large and district representation.  (c) Reapportionment; Federal census base.  (d) Timing of biennial elections.  1423a. Power of legislature; limitation on indebtedness of Guam; bond issues; guarantees for Guam Power Authority bonds or other obligations; interest rates; default.  1423b. Selection and qualification of members; officers; rules and regulations; quorum.  1423c. Privileges of members.  1423d. Qualifications of members.  1423d. Qualifications of members.  1423d. Qualifications of members.  1423d. Regular and special sessions.  423c. Authorization of plan for use of funds; contents of plan; term, interest rate, and premium charge of loan.  1428c. Accounting procedures.  (e) Awards.  (f) Limitation on attorney's fees; violation; penalty.  (g) Availability of documents, records, and writings to court.  SUBCHAPTER V—PUBLIC HOUSING AND URBAN REPNEWAL  1425a. Legislative authority to create authorities; appointment of members; powers of authorities.  1425b. Submition of prior act.  1426c. Reapealed.  SUBCHAPTER V—GUAM DEVELOPMENT FUND Selection of plan; term, interest rate, and premium charge of loan.  1428c. Authorization of plan for use of funds; contents of plan; term, interest rate, and premium charge of loan.  1428c. Accounting procedures.  1428c. Authorization in available funds; reserves for loan guarantees.  1428d. Prohibition against acceptance of salary increases or newly created offices.  1428d. Regular and special sessions.  1428d. Authorization for th				(b) Acquisitions effected through con-	
Trainster of tineticitions in the colling potentiment colling troller for Guam to Inspector General, Department of the Interior.  (a) Functions, powers, and duties transferred. (b) Scope of authority transferred. (c) Transfer of personnel, assets, etc., of office of government comptroller for Guam to Office of Inspector General, Department of the Interior.  SUBCHAPTER III—THE LEGISLATURE  1423. Legislature of Guam.  (a) Unicameral nature; power. (b) Size of legislature; prohibition against denial of equal protection; at large and district representation. (c) Reapportionment; Federal census base. (d) Timing of biennial elections.  1423a. Power of legislature; limitation on indebtedness of Guam; bond issues; guarantees for purchase by Federal Financing Bank of Guam Power Authority bonds or other obligations; interest rates; default.  1423b. Selection and qualification of members; officers; rules and regulations; quorum.  1423c. Prohibition against acceptance of salary increases or newly created offices.  1423f. Qualifications of members.  1423g. Qualifications of members.  1423h. Regular and special sessions.  1423h. Regular and special sessions.  1423i. Approval of bills.  1423i. Approval of bills.  1423i. Approval of bills.	4 400 1	(d) Continuation in office of incumbents.			
partment of the Interior.  (a) Functions, powers, and duties transferred. (b) Scope of authority transferred. (c) Transfer of personnel, assets, etc., of office of government comptroller for Guam to Office of Inspector General, Department of the Interior.  SUBCHAPTER III—THE LEGISLATURE  1423. Legislature of Guam. (a) Unicameral nature; power. (b) Size of legislature; prohibition against denial of equal protection; at large and district representation. (c) Reapportionment; Federal census base. (d) Timing of biennial elections.  1423a. Power of legislature; limitation on indebtedness of Guam; bond issues; guarantees for purchase by Federal Financing Bank of Guam Power Authority bonds or other obligations; interest rates; default.  1423b. Selection and qualification of members; officers; rules and regulations; quorum.  1423c. Privileges of members.  1423d. Oath of office.  1423d. Oath of office.  1423e. Prohibition against acceptance of salary increases or newly created offices.  1423f. Qualifications of members.  1423g. Regular and special sessions.  1423h. Regular and special sessions.  1423c. Approval of bills.  Authorization of pion att.  1425d. Ratication of pior act.  1426d. Report for inclusion in annual report by Governor.  1428e. Audiorization of plan for use of funds; contents of plan; term, interest rate, and premium charge of loan.  1428c. Accounting procedures.  1428d. Report for inclusion in annual report by Governor.  1428e. Audiorization of proprintions.  1428e. Audiorization of pions act.  1428e. Accounting procededures.  1428e. Accounting procededures.  1428e. Audiorization of pions act.  1428e. Accounting procededures.  1428e. Audiorization of plan for use of funds; contents of plan; term, interest rate, and premium charge of loan.  1428e. Accounting procededures.  1428e. Audiorization of pions act.  1428e. Accounting procededures.  1428e. Accounting procededures.  1428e. Audiorization of pions act.  1428e. Accounting procededures.  1428e. Accounting procededures.  1428e. Audiorization of pions	1422d.			(d) Employment of special masters or	
(a) Functions, powers, and duties transferred. (b) Scope of authority transferred. (c) Transfer of personnel, assets, etc., of office of government comptroller for Guam to Office of Inspector General, Department of the Interior.  SUBCHAPTER III—THE LEGISLATURE  1423. Legislature of Guam. (a) Unicameral nature; power. (b) Size of legislature; prohibition against denial of equal protection; of Capportionment; Federal census base. (d) Timing of biennial elections.  1423a. Power of legislature; limitation on indebtedness of Guam; bond issues; guarantees for Guam Power Authority bonds or other obligations; interest rates; default.  1423b. Selection and qualification of members; officers; rules and regulations; quorum.  1423c. Privileges of members.  1423d. Oath of office.  1423d. Qualifications of members.  1423d. Qualifications of members.  1423d. Qualifications of members.  1423d. Qualifications of members.  1423d. Regular and special sessions.  Approval of bills.  Authorization of appropriations.  (C) Ratification on attorney's fees; violation; teon, of the outting; paradispite to court.  SUBCHAPTER V—PUBLIC HOUSING AND URBAN RENEWAL  1425a.  1425a. Legislature authority to create authorities; appointment of members; powers of authorities.  1425a. Authorization of loans, conveyances, etc.  1425b. Salection of prior act.  Additional powers.  1428a. Authorization of appropriations.  1428b. Submission of plan for use of funds; contents of plan; term, interest rate, and premium charge of loan.  1428c. Authorization of non loan guarantee; maximum participation in available funds; reserves for loan guarantees.  1428d. Report for inclusion in annual report by Governor.  1428d. Report for inclusion in annual report by Governor.  1428d. Report for inclusion in annual report by Governor.  1428d. Report for inclusion in annual report by Governor.  1428d. Report for inclusion in annual report by Governor.  1428d. Report for inclusion in annual report by Governor.  1428d. Report for inclusion in annual report by Governor.  14		partment of the Interior.			
(b) Scope of authority transferred. (c) Transfer of personnel, assets, etc., of office of government comptroller for Guam to Office of Inspector General, Department of the Interior.  SUBCHAPTER III—THE LEGISLATURE  1423. Legislature of Guam. (a) Unicameral nature; power. (b) Size of legislature; prohibition against denial of equal protection; at large and district representation. (c) Reapportionment; Federal census base. (d) Timing of biennial elections.  1423a. Power of legislature; limitation on indebtedness of Guam; bond issues; guarantees for purchase by Federal Financing Bank of Guam Power Authority bonds or other obligations; interest rates; default.  1423b. Selection and qualification of members; officers; rules and regulations; quorum.  1423c. Privileges of members.  1423d. Oath of office.  1423f. Qualifications of members.  1423f. Qualifications of members.  1423f. Qualifications of members.  1423f. Regular and special sessions.  1423i. Approval of bills.  Regular and special sessions.  1423i. Approval of bills.  Authorization of appropriations.  (g) Availability of documents, records, and writings to court.  SUBCHAPTER V—PUBLIC HOUSING AND URBAN RENNEWAL  1425a. Legislative authority to create authorities; Issuance of notes, bonds, and obligations.  1425b. Issuance of notes, bonds, and obligations.  1425c. Authorization of prior act.  1425d. Ratification of prior act.  1425e. Repealed.  SUBCHAPTER V—PUBLIC HOUSING AND URBAN RENNEWAL  1425a. Legislative authority to create authorities; Issuance of notes, bonds, and obligations.  1425b. Authorization of powers.  1425c. Ratification of prior act.  1425d. Ratification of appropriations.  1428a. Authorization of appropriations.  1428b. Prerequisite for loan or loan guarantee; maximum participation in available funds; reserves for loan guarantees.  1428c. Accounting procedures.  1428c. Audit of books and records of agency, or agencies, administering loan funds.  1428e. Audit of books and records of agency, or agencies, administering loan funds.  1428e. Subm					
and writings to court.  SUBCHAPTER III—THE LEGISLATURE  1423. Legislature of Guam.  (a) Unicameral nature; power.  (b) Size of legislature; prohibition against denial of equal protection; at large and district representation.  (c) Reapportionment; Federal census base.  (d) Timing of biennial elections.  1423a. Power of legislature; limitation on indebtedness of Guam; bond issues; guarantees for purchase by Federal Financing Bank of Guam Power Authority bonds or other obligations; interest rates; default.  1423c. Privileges of members.  1423c. Privileges of members.  1423d. Oath of office.  1423e. Prohibition against acceptance of salary increase or newly created offices.  1423e. Vacancies.  1423f. Regular and special sessions.  14231. Approval of bills.  (c) Transfer of government comptroller for Guam to Office of Inspector General, Department of the Interior.  SUBCHAPTER V—PUBLIC HOUSING AND URBAN RENEWAL  1425b. Useislative authority to create authorities; appointment of members; powers of authoritation of roleans, conveyances, etc.  1425c. Additional powers.  1426e. Repealed.  SUBCHAPTER V—FUBLIC HOUSING AND URBAN RENEWAL  1425b. Legislative authority to create authorities; appointment of members; opomers of authoritates.  1425c. Additional powers.  1426e. Repealed.  SUBCHAPTER V—GUAM DEVELOPMENT FUND  1428a. Submission of plan for use of funds; contents of plan; term, interest rate, and premium charge of loan.  1428b. Prerequisite for loan or loan guarantee; maximum participation in available funds; reserves for loan guarantees.  1428c. Accounting procedures.  1428c. Accounting procedures.  1428d. Report for inclusion in annual report by Governor.  1428e. Additional powers.  1428a. Submission of plan for use of funds; reserves for loan guarantee; maximum participation in available funds; reserves for loan guarantees.  1428c. Accounting procedures.  1428c. Accounting procedures.  1428e. Additional powers.  1428c. Accounting procedures.  1428d. Report for inclusion in annual report by Governor.  1428e. Audit					
for Guam to Office of Inspector General, Department of the Interior.  SUBCHAPTER III—THE LEGISLATURE  1423. Legislature of Guam.  (a) Unicameral nature; power.  (b) Size of legislature; prohibition against denial of equal protection, at large and district representation.  (c) Reapportionment; Federal census base.  (d) Timing of biennial elections.  1423a. Power of legislature; limitation on indebtedness of Guam; bond issues; guarantees for purchase by Federal Financing Bank of Guam Power Authority bonds or other obligations; interest rates; default.  1423b. Selection and qualification of members; officers; rules and regulations; quorum.  1423c. Privileges of members.  1423d. Oath of office.  Prohibition against acceptance of salary increases or newly created offices.  1423d. Qualifications of members.  1423g. Vacancies.  RENEWAL  1425a. Legislature authority to create authorities; appointment of members; powers of authorities.  1425b. Issuance of notes, bonds, and obligations.  1425c. Authorization of ploans, conveyances, etc.  Ratification of prior act.  Additional powers.  1428a. Authorization of appropriations.  SUBCHAPTER VI—Public Authority to create authorities; appointment of members; opporations, and obligations.  1425c. Ratification of prior act.  Repealed.  SUBCHAPTER VI—GUAM DEVELOPMENT FUND  1428a. Authorization of plan for use of funds; contents of plan; term, interest rate, and premium charge of loan.  1428b. Prerequisite for loan or loan guarantee; maximum participation in available funds; reserves for loan guarantees.  1428c. Accounting procedures.  1428d. Report for inclusion in annual report by Governor.  1428e. Audit of books and records of agency, or agencies, administering loan funds.  Constitutions for the peoples of the Virgin Islands					
SUBCHAPTER III—THE LEGISLATURE  1423. Legislature of Guam.  (a) Unicameral nature; power.  (b) Size of legislature; prohibition against denial of equal protection, at large and district representation.  (c) Reapportionment; Federal census base.  (d) Timing of biennial elections.  1423a. Power of legislature; limitation on indebtedness of Guam; bond issues; guarantees for purchase by Federal Financing Bank of Guam Power Authority bonds or other obligations; interest rates; default.  1423c. Privileges of members.  1423d. Oath of office.  1423e. Prohibition against acceptance of salary increases or newly created offices.  1423f. Qualifications of members.  1423g. Vacancies.  1423h. Regular and special sessions.  1423i. Approval of bills.  Celection and qualifications.  1425b. Issuance of notes, bonds, and obligations.  1425d. Authorization of pians, conveyances, etc.  1425d. Authorization of prior act.  1425e. Additional powers.  1426e. Authorization of appropriations.  1428b. Prerequisite for loan or loan guarantee; maximum participation in available funds; reserves for loan guarantees.  1428c. Accounting procedures.  1428c. Accounting procedures.  1428d. Report for inclusion in annual report by Governor.  1428e. Audit of books and records of agency, or agencies, administering loan funds.  Constitutions for the peoples of the Virgin Islands			SUBC		
Legislature of Guam.  (a) Unicameral nature; power. (b) Size of legislature; prohibition against denial of equal protection; at large and district representation. (c) Reapportionment; Federal census base. (d) Timing of biennial elections.  1423a. Power of legislature; limitation on indebtedness of Guam; bond issues; guarantees for purchase by Federal Financing Bank of Guam Power Authority bonds or other obligations; interest rates; default.  1423b. Selection and qualification of members; officers; rules and regulations; quorum.  1423c. Privileges of members.  1423d. Oath of office.  1423d. Oath of office.  1423e. Prohibition against acceptance of salary increases or newly created offices.  1423d. Qualifications of members.  1423e. Pagular and special sessions.  1423f. Regular and special sessions.  1423j. Authorization of appropriations.  1425b. Issuance of notes, bonds, and obligations.  1425c. Authorization of pior act.  1425c. Ratification of pior act.  1425d. Repealed.  SUBCHAPTER VI—GUAM DEVELOPMENT FUND  1428a. Submission of plan for use of funds; contents of plan; term, interest rate, and premium charge of loan.  1428b. Prerequisite for loan or loan guarantee; maximum participation in available funds; reserves for loan guarantees.  1428c. Accounting procedures.  1428c. Accounting procedures.  1428e. Audit of books and records of agency, or agencies, administering loan funds.  CONSTITUTIONS FOR VIRGIN ISLANDS AND GUAM: ESTABLISHMENT; CONGRESSIONAL AUTHORIZATION  Authorization of the peoples of the Virgin Islands	eral, Department of the Interior.				
(a) Unicameral nature; power.  (b) Size of legislature; prohibition against denial of equal protection; at large and district representation.  (c) Reapportionment; Federal census base.  (d) Timing of biennial elections.  1423a. Power of legislature; limitation on indebtedness of Guam; bond issues; guarantees for purchase by Federal Financing Bank of Guam Power Authority bonds or other obligations; interest rates; default.  1423b. Selection and qualification of members; officers; rules and regulations; quorum.  1423c. Privileges of members.  1423d. Oath of office.  1423e. Prohibition against acceptance of salary increases or newly created offices.  1423f. Qualifications of members.  1423g. Vacancies.  1423h. Regular and special sessions.  1423j. Authorization of prior act.  1425d. Ratification of prior act.  1425d. Ratification of prior act.  1425d. Ratification of prior act.  1426d. Ratification of prior act.  1428e. Additional powers.  1428e. Authorization of appropriations.  Submission of plan for use of funds; contents of plan; term, interest rate, and premium charge of loan.  1428b. Prerequisite for loan or loan guarantee; maximum participation in available funds; reserves for loan guarantees.  1428c. Accounting procedures.  1428d. Report for inclusion in annual report by Governor.  1428e. Audit of books and records of agency, or agencies, administering loan funds.  CONSTITUTIONS FOR VIRGIN ISLANDS AND GUAM: ESTABLISHMENT; CONGRESSIONAL AUTHORIZATION  Authorization of prior act.  1425d. Ratification of prior act.  Additional powers.  1428d. Authorization of appropriations.  1428a. Submission of plan for use of funds; contents of plan; term, interest rate, and premium charge of loan.  1428b. Prerequisite for loan or loan guarantees.  1428c. Accounting procedures.  1428c. Accounting procedures.  1428e. Audit of books and records of agency, or agencies, administering loan funds.  CONSTITUTIONS FOR VIRGIN ISLANDS AND GUAM: ESTABLISHMENT; CONGRESSIONAL AUTHORIZATION  Authorization of prior act.  1428d. Report fo	S				
(b) Size of legislature; prohibition against denial of equal protection; at large and district representation.  (c) Reapportionment; Federal census base. (d) Timing of biennial elections.  1423a. Power of legislature; limitation on indebtedness of Guam; bond issues; guarantees for purchase by Federal Financing Bank of Guam Power Authority bonds or other obligations; interest rates; default.  1423b. Selection and qualification of members; officers; rules and regulations; quorum.  1423c. Privileges of members.  1423d. Oath of office.  1423e. Prohibition against acceptance of salary increases or newly created offices.  1423f. Qualifications of members.  1423g. Vacancies.  1423h. Regular and special sessions.  1423i. Approval of bills.  Authorization of notes, bonds, and obligations.  1425d. Ratification of prior act.  Additional powers.  1425e. Repealed.  SUBCHAPTER VI—GUAM DEVELOPMENT FUND  1428a. Submission of plan for use of funds; contents of plan; term, interest rate, and premium charge of loan.  1428b. Prerequisite for loan or loan guarantee; maximum participation in available funds; reserves for loan guarantees.  1428c. Accounting procedures.  1428c. Accounting procedures.  1428d. Report for inclusion in annual report by Governor.  1428e. Audit of books and records of agency, or agencies, administering loan funds.  CONSTITUTIONS FOR VIRGIN ISLANDS AND GUAM: ESTABLISHMENT; CONGRESSIONAL AUTHORIZATION  Authorization of poion act.  Additional powers.  1426d. Retriction of appropriations.  SUBCHAPTER VI—GUAM DEVELOPMENT FUND  1428a. Submission of plan for use of funds; contents of plan; term, interest rate, and premium charge of loan.  1428b. Prerequisite for loan or loan guarantee; maximum participation in available funds; reserves for loan guarantees.  1428c. Accounting procedures.  1428c. Accounting procedures.  1428e. Audit of books and records of agency, or agencies, administering loan funds.  CONSTITUTIONS FOR VIRGIN ISLANDS AND GUAM: ESTABLISHMENT; CONGRESSIONAL AUTHORIZATION  Authorization of notes, add	1423.				
at large and district representation.  (c) Reapportionment; Federal census base.  (d) Timing of biennial elections.  1423a. Power of legislature; limitation on indebtedness of Guam; bond issues; guarantees for purchase by Federal Financing Bank of Guam Power Authority bonds or other obligations; interest rates; default.  1423b. Selection and qualification of members; officers; rules and regulations; quorum.  1423c. Privileges of members.  1423d. Oath of office.  1423e. Prohibition against acceptance of salary increases or newly created offices.  1423f. Qualifications of members.  1423d. Approval of bills.  Ratification of prior act.  1425d. Additional powers.  1428. Authorization of appropriations.  SUBCHAPTER VI—GUAM DEVELOPMENT FUND  1428. Authorization of plan for use of funds; contents of plan; term, interest rate, and premium charge of loan.  1428b. Preequisite for loan or loan guarantee; maximum participation in available funds; reserves for loan guarantees.  1428c. Accounting procedures.  1428e. Accounting procedures.  1428e. Accounting procedures.  1428e. Audit of books and records of agency, or agencies, administering loan funds.  CONSTITUTIONS FOR VIRGIN ISLANDS AND GUAM: ESTABLISHMENT; CONGRESSIONAL AUTHORIZATION  Authorization of prior act.  Additional powers.  1428e. Authorization of appropriations.  1428e. Authorization of plan for use of funds; contents of plan; term, interest rate, and premium charge of loan.  1428b. Preequisite for loan or loan guarantees.  1428c. Accounting procedures.  1428e. Accounting procedures.  1428e. Authorization of powers.  1428e. Accounting for powers.  1			1425b.		
(c) Reapportionment; Federal census base. (d) Timing of biennial elections.  1423a. Power of legislature; limitation on indebtedness of Guam; bond issues; guarantees for purchase by Federal Financing Bank of Guam Power Authority bonds or other obligations; interest rates; default.  1423b. Selection and qualification of members; officers; rules and regulations; quorum.  1423c. Privileges of members.  1423d. Oath of office.  1423e. Prohibition against acceptance of salary increases or newly created offices.  1423f. Qualifications of members.  1423g. Vacancies.  1423h. Regular and special sessions.  1423j. Authorization of appropriations.  1425e. Additional powers.  1428. Authorization of appropriations.  1428a. Submission of plan for use of funds; contents of plan; term, interest rate, and premium charge of loan.  1428b. Prerequisite for loan or loan guarantee; maximum participation in available funds; reserves for loan guarantees.  1428c. Accounting procedures.  1428d. Report for inclusion in annual report by Governor.  1428e. Audit of books and records of agency, or agencies, administering loan funds.  Constitutions for Virgin Islands Authorization for the peoples of the Virgin Islands					
base.  (d) Timing of biennial elections.  1423a. Power of legislature; limitation on indebtedness of Guam; bond issues; guarantees for purchase by Federal Financing Bank of Guam Power Authority bonds or other obligations; interest rates; default.  1423b. Selection and qualification of members; officers; rules and regulations; quorum.  1423c. Privileges of members.  1423d. Oath of office.  1423e. Prohibition against acceptance of salary increases or newly created offices.  1423f. Qualifications of members.  1423d. Repealed.  SUBCHAPTER VI—GUAM DEVELOPMENT FUND  1428a. Submission of appropriations.  1428a. Submission of plan for use of funds; contents of plan; term, interest rate, and premium charge of loan.  1428b. Prerequisite for loan or loan guarantee; maximum participation in available funds; reserves for loan guarantees.  1428c. Accounting procedures.  1428d. Report for inclusion in annual report by Governor.  1428e. Audit of books and records of agency, or agencies, administering loan funds.  Constitutions for Virgin Islands Authorization for the peoples of the Virgin Islands			1425e.	Additional powers.	
1423a. Power of legislature; limitation on indebtedness of Guam; bond issues; guarantees for purchase by Federal Financing Bank of Guam Power Authority bonds or other obligations; interest rates; default.  1423b. Selection and qualification of members; officers; rules and regulations; quorum.  1423c. Privileges of members.  1423d. Oath of office.  1423e. Prohibition against acceptance of salary increases or newly created offices.  1423f. Qualifications of members.  1423g. Vacancies.  1423h. Regular and special sessions.  1423j. Approval of bills.  Authorization of appropriations.  1428a. Submission of plan for use of funds; contents of plan; term, interest rate, and premium charge of loan.  1428b. Prerequisite for loan or loan guarantee; maximum participation in available funds; reserves for loan guarantees.  1428c. Accounting procedures.  1428e. Audit of books and records of agency, or agencies, administering loan funds.  CONSTITUTIONS FOR VIRGIN ISLANDS AND GUAM: ESTABLISHMENT; CONGRESSIONAL AUTHORIZATION  Authorization for the peoples of the Virgin Islands		base.		<del>-</del>	
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purchase by Federal Financing Bank of Guam Power Authority bonds or other obligations; interest rates; default.  1423b. Selection and qualification of members; officers; rules and regulations; quorum.  1423c. Privileges of members.  1423d. Oath of office.  Prohibition against acceptance of salary increases or newly created offices.  1423f. Qualifications of members.  1423g. Vacancies.  1423h. Regular and special sessions.  1423h. Regular and special sessions.  1423j. Approval of bills.  Authorization of appropriations.  Of plan; term, interest rate, and premium charge of loan.  1428b. Prerequisite for loan or loan guarantee; maximum participation in available funds; reserves for loan guarantees.  1428c. Accounting procedures.  1428d. Report for inclusion in annual report by Governor.  1428e. Audit of books and records of agency, or agencies, administering loan funds.  CONSTITUTIONS FOR VIRGIN ISLANDS AND GUAM: ESTABLISHMENT; CONGRESSIONAL AUTHORIZATION  Authorization for the peoples of the Virgin Islands	11200.	ness of Guam; bond issues; guarantees for			
gations; interest rates; default.  1423b. Selection and qualification of members; officers; rules and regulations; quorum.  1423c. Privileges of members.  1423d. Oath of office.  Prohibition against acceptance of salary increases or newly created offices.  1423f. Qualifications of members.  1423g. Vacancies.  1423h. Regular and special sessions.  1423j. Approval of bills.  1423j. Authorization of appropriations.  1428b. Prerequisite for loan or loan guarantee; maximum participation in available funds; reserves for loan guarantees.  1428c. Accounting procedures.  1428d. Report for inclusion in annual report by Governor.  1428e. Audit of books and records of agency, or agencies, administering loan funds.  1428b. Prerequisite for loan or loan guarantee; maximum participation in available funds; reserves for loan guarantees.  1428c. Accounting procedures.  1428e. Audit of books and records of agency, or agencies, administering loan funds.  1428e. Constitutions for Virgin Islands				of plan; term, interest rate, and premium	
1423b. Selection and qualification of members; officers; rules and regulations; quorum.  1423c. Privileges of members.  1423d. Oath of office.  Prohibition against acceptance of salary increases or newly created offices.  1423f. Qualifications of members.  1423g. Vacancies.  1423h. Regular and special sessions.  1423j. Approval of bills.  1423j. Authorization of appropriations.  1423b. Selection and qualification of members; officers serves for loan guarantees.  1428c. Accounting procedures.  1428d. Report for inclusion in annual report by Governor.  1428e. Audit of books and records of agency, or agencies, administering loan funds.  1428c. Constitutions for Virgin Islands Approval of bills.  1428c. Accounting procedures.  1428d. Report for inclusion in available funds; reserves for loan guarantees.  1428d. Report for inclusion in annual report by Governor.  1428e. Audit of books and records of agency, or agencies, administering loan funds.  1428d. Constitutions for Virgin Islands			1428b.		
1423c. Privileges of members.  1423d. Oath of office.  1423e. Prohibition against acceptance of salary increases or newly created offices.  1423f. Qualifications of members.  1423g. Vacancies.  1423h. Regular and special sessions.  1423h. Approval of bills.  1423j. Authorization of appropriations.  1428c. Accounting procedures.  1428d. Report for inclusion in annual report by Governor.  1428e. Audit of books and records of agency, or agencies, administering loan funds.  1428c. Accounting procedures.  1428d. Report for inclusion in annual report by Governor.  1428e. Accounting procedures.  1428d. Report for inclusion in annual report by Governor.  1428e. Accounting procedures.  1428d. Report for inclusion in annual report by Governor.  1428e. Accounting procedures.  1428d. Report for inclusion in annual report by Governor.  1428e. Accounting procedures.  1428d. Report for inclusion in annual report by Governor.  1428e. Accounting procedures.  1428d. Report for inclusion in annual report by Governor.  1428e. Accounting procedures.  1428e. Accounting procedures.	1423b.		112001	mum participation in available funds; re-	
1423d. Oath of office.  1423e. Prohibition against acceptance of salary increases or newly created offices.  1423f. Qualifications of members.  1423g. Vacancies.  1423d. Report for inclusion in annual report by Govardies.  1428e. Audit of books and records of agency, or agencies, administering loan funds.  1423g. Vacancies.  1423d. Report for inclusion in annual report by Govardies.  1428e. Audit of books and records of agency, or agencies, administering loan funds.  1428d. Report for inclusion in annual report by Govardies.  1428e. Audit of books and records of agency, or agencies, administering loan funds.  1428d. Report for inclusion in annual report by Govardies.  1428e. Audit of books and records of agency, or agencies, administering loan funds.  1428d. Stables in annual report by Govardies in annual	1423c.		1428c		
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constitutions for local self-government, see Pub. L. 94-584, Oct. 21, 1976, 90 Stat. 2899, set out as a note under section 1541 of this title.

#### DELEGATE TO CONGRESS FROM GUAM

Provisions respecting representation in Congress by a Delegate from Guam to the House of Representatives, see section 1711 et seq. of this title.

#### CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 1425b, 1469a-1 of this title

#### SUBCHAPTER I—GENERAL PROVISIONS

#### § 1421. Territory included under name Guam

The territory ceded to the United States in accordance with the provisions of the Treaty of Peace between the United States and Spain, signed at Paris, December 10, 1898, and proclaimed April 11, 1899, and known as the island of Guam in the Marianas Islands, shall continue to be known as Guam.

(Aug. 1, 1950, ch. 512, §2, 64 Stat. 384.)

## EFFECTIVE DATE; CONTINUATION OF FEDERAL ADMINISTRATION

Section 34 of act Aug. 1, 1950, provided that on the 21st day of July 1950, the authority and powers conferred by this chapter would come into force, and authorized the President, for a period not to exceed one year from Aug. 1, 1950, to continue the administration of Guam in all or in some respects as provided by law, Executive order, or local regulation in force on Aug. 1, 1950. It further authorized the President in his discretion to place in operation all or some of the provisions of this chapter if practicable before the expiration of the period of one year.

#### SHORT TITLE OF 1998 AMENDMENT

Pub. L. 105–291, §1, Oct. 27, 1998, 112 Stat. 2785, provided that: "This Act [amending sections 1421g, 1423a, and 1423b of this title] may be cited as the 'Guam Organic Act Amendments of 1998'."

#### SHORT TITLE OF 1968 AMENDMENTS

Pub. L. 90-601, §1, Oct. 17, 1968, 82 Stat. 1172, provided that: "This Act [enacting sections 1428 to 1428e of this title] may be cited as the 'Guam Development Fund Act of 1968'."

Pub. L. 90–497, §14, Sept. 11, 1968, 82 Stat. 848, provided that: "This Act [enacting section 1422d of this title and section 335 of Title 10, Armed Forces, amending sections 1421a, 1421b, 1421c, 1421d, 1421f, 1422, 1422a, 1422b, 1422c, 1423b, 1423h, and 1423i of this title, and enacting provisions set out as notes under this section and section 1422 of this title] may be cited as the 'Guam Elective Governor Act'."

#### SHORT TITLE

Section 1 of act Aug. 1, 1950, provided that: "This Act [enacting this chapter and amending section 703 of Title 8, Aliens and Nationality] may be cited as the 'Organic Act of Guam'."

POLITICAL UNION BETWEEN TERRITORY OF GUAM AND COMMONWEALTH OF NORTHERN MARIANA ISLANDS, EFFECTS ON RIGHTS AND ENTITLEMENTS

In event of political union between Guam and the Commonwealth of the Northern Mariana Islands, there shall be no diminution of rights or entitlements, nor any adverse effects on any funds authorized or appropriated, see section 1844 of this title.

ANALYSIS OF CAPITAL INFRASTRUCTURE NEEDS OF GUAM FOR 1985 TO 1990 TIMEFRAME; REPORT TO CON-GRESS: CONTENTS

Pub. L. 95–348, 1(a)(6), Aug. 18, 1978, 92 Stat. 487, provided that the Secretary prepare and transmit to the

Congress no later than July 1, 1979, an analysis of the capital infrastructure needs of Guam for the 1985 to 1990 timeframe.

SUBMERGED LANDS, CONVEYANCE TO TERRITORY

Conveyance of submerged lands to the government of Guam, see section 1701 et seq. of this title.

Ex. Ord. No. 10077. Transfer of Administration of Guam

Ex. Ord. No. 10077, eff. Sept. 7, 1949, 14 F.R. 5523, as amended by Ex. Ord. No. 10137, eff. June 30, 1950, 15 F.R. 4241, provided:

- 1. The administration of the Island of Guam is hereby transferred from the Secretary of the Navy to the Secretary of the Interior, such transfer to become effective on August 1, 1950.
- 2. The Department of the Navy and the Department of the Interior shall proceed with the plans for the transfer of the administration of the Island of Guam as embodied in the above mentioned memorandum of understanding between the two departments.
- 3. When the transfer of administration made by this order becomes effective, the Secretary of the Interior shall take such action as may be necessary and appropriate, and in harmony with applicable law, for the administration of civil government on the Island of Guam.
- 4. The executive departments and agencies of the Government are authorized and directed to cooperate with the Departments of the Navy and Interior in the effectuation of the provisions of this order.
- 5. The said Executive Order No. 108-A of December 23, 1898, is revoked, effective July 1, 1950.

# § 1421a. Unincorporated territory; capital; powers of government; suits against government; type of government; supervision

Guam is declared to be an unincorporated territory of the United States and the capital and seat of government thereof shall be located at the city of Agana, Guam. The government of Guam shall have the powers set forth in this chapter, shall have power to sue by such name, and, with the consent of the legislature evidenced by enacted law, may be sued upon any contract entered into with respect to, or any tort committed incident to, the exercise by the government of Guam of any of its lawful powers. The government of Guam shall consist of three branches, executive, legislative, and judicial, and its relations with the Federal Government in all matters not the program responsibility of another Federal department or agency, shall be under the general administrative supervision of the Secretary of the Interior.

(Aug. 1, 1950, ch. 512, §3, 64 Stat. 384; Pub. L. 86-316, Sept. 21, 1959, 73 Stat. 588; Pub. L. 90-497, §12(a), Sept. 11, 1968, 82 Stat. 847.)

#### AMENDMENTS

1968—Pub. L. 90–497 substituted provisions that all matters concerning Guam which are not the program responsibility of other Federal departments or agencies be under the general administrative supervision of the Secretary of the Interior for provisions that the general administrative supervision of matters concerning Guam be under the head of such civilian department or agency of the Government of the United States as the President might direct.

1959—Pub. L. 86-316 permitted government of Guam, with consent of legislature, to be sued.

### EFFECTIVE DATE OF 1968 AMENDMENT

Amendment by Pub. L. 90–497 necessary to authorize the holding of an election for Governor and Lieutenant